

LAW SECRETARIAT.

No. P. 301—Legis. 2-28-2, dated 14th July 1928.

Under Sub-Rule (2) (e) of Rule 30 of the Mysore Motor Vehicles Rules as amended by Notification No. P. 6118—Legis. 46-25-17, dated the 27th May, 1927, the Government are pleased to notify the Motor Vehicles plying for hire along the road from Arsikere to Hassan via, Gandasi and Dudda, as competing with the Railways in the State for the purpose of levy of double the ordinary mileage rate contemplated in the said Rule.

By Order,
B. NAGAPPA,
Secretary to Government,
Law Department.

No. P. 322—Cts. 308-26-7, dated 14—16th July 1928.

Under section 16 of the Code of Criminal Procedure, 1904, the Government of His Highness the Maharaja are pleased to issue the following Rules to regulate the classes of cases to be tried and the conduct of trials by Benches of Honorary Magistrates, in supersession of the existing Rules on the subject:—

1. Subject to Rule 7 *infra* each Bench shall try such cases or classes of cases as the District Magistrate may, by special or general order, from time to time, direct. Provided that without the special permission of the District Magistrate, the Bench shall not try any case in which a Government servant is concerned as complainant or accused.

2. The District Magistrate shall fix the place and the dates and hours at which the Bench shall sit.

3. Provided that the Bench may hold one or more adjourned sittings or work beyond its term, if this is found necessary for the disposal of business or of part-heard cases.

4. The Chairman of the Bench for the time being shall be the Magistrate of highest powers present at a sitting. When two or more are of equal powers, the Bench may elect its own Chairman, provided always that it shall be in the discretion of the District Magistrate subject to such orders as Government may pass generally or in each case, to appoint the Chairman for each time of sitting, or generally.

5. The Chairman with one other member shall form a quorum. Provided that Patels shall not as Honorary Magistrates try police cases arising within their Patel jurisdiction.

6. It shall be the duty of the Chairman to maintain order, conduct the proceedings of the Court, and exercise all the functions in that behalf usually exercised by a Magistrate when sitting alone. It shall be open to any member of the Bench to put any questions to parties or witnesses, either direct or through the Chairman, as the latter may deem advisable, and to suggest any matter for the Chairman's consideration.

7. In the trial of ordinary cases the Chairman shall generally record the evidence and judgment; but such duty may, with his consent, be performed by anyone of his colleagues.

8. In the trial of summary cases where the Bench has been invested with summary powers, the necessary record shall be prepared by the Chairman or one of his colleagues; but, in every case, the record must be signed by each Member of the Bench who is present.

9. Each Member of the Bench shall have a voice in deciding as to the admissibility of evidence and in the finding and sentence. In a Bench of three or other uneven number of members, the opinion of the majority shall prevail. When a Bench is composed of not more than two members and they differ in opinion the Chairman shall have a second or casting vote. In the case of a Bench consisting of an even number of members more than two and their opinion is equally divided the Chairman shall have a second or casting vote. When the Bench differ in opinion, any dissentient member may write a separate judgment.

10. Benches of Magistrates at Taluk Headquarters are invested with power to try cases of theft where the value of the property does not exceed Rs. 50 and those at District Headquarters towns with the full powers of a Third Class Magistrate.

By Order,
N. SEETHARAMAIA,
For Secretary to Government,
Law Department.

No. P. 378—Cts. 4-28-3, dated 17th July 1928.

Under section 14 of the Code of Criminal Procedure, 1904, the Government of His Highness the Maharaja are pleased to reappoint Messrs. Satyanarayana Setty and K. Bhima Rao, as special Magistrates for the Bench Court at Kadur with the powers of a Magistrate of the Third Class, with effect from 23rd July 1928.

No. P. 382—Cts. 4-28-4, dated 17th July 1928.

Under section 14 of the Code of Criminal Procedure, 1904, the Government of His Highness the Maharaja are pleased to reappoint the undermentioned gentlemen as Special

Magistrates for the Bench Court at Chikmagalur with the powers of a Magistrate of the Second Class, with effect from the dates noted against them.

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| Messrs. | 1. B. Krishna Singh | } From 29th July 1928. |
| | 2. M. L. Nagappa Setty, | |
| | 3. L. M. G. Vas | ... From 6th August 1928. |

No. P. 386—Cts. 11-28-2, dated 17th July 1928.

Under section 3(2) of the Mysore Village Courts Regulation, 1913, the Government of His Highness the Maharaja are pleased to group with effect from 1st August 1928 the under-mentioned villages in the Chikballapur Taluk along with the village of Peresandra in the same taluk and to establish therefor a Village Court at Peresandra.

2. The said Court shall have and exercise jurisdiction over all the villages so grouped.

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| 1. Kalulchoute | 7. Boyanahalli |
| 2. Aroor | 8. Kodur |
| 3. Nandanagenahalli | 9. Bommahalli |
| 4. Yelagalahalli | 10. Kamtanahalli |
| 5. Chiknagahalli | 11. Reddihalli |
| 6. Kootanahalli | |

No. P. 390—Cts. 12-28-2, dated 17th July 1928.

Under section 3 (1) of the Mysore Village Courts Regulation, 1913, the Government of His Highness the Maharaja are pleased to establish a Village Court at Channarayapatna, Hassan District, with effect from 1st August 1928.

2. The said Court shall have and exercise jurisdiction over the town of Channarayapatna.

No. P. 395—Cts. 18-28-2, dated 17th July 1928.

Under section 14 of the Code of Criminal Procedure, 1904, the Government of His Highness the Maharaja are pleased to appoint Mr. M. S. M. Kadiresan Chettiar as Special Magistrate for the Bench Court at Mysore City with the powers of a Magistrate of the Second Class, with effect from the date of this Notification.

By Order,
N. MADHAVA RAO,
Chief Secretary to Government.
Incharge, Law Department.

No. Rel. 15—R. A. 2-28-2, dated 17th July 1928.

A casual vacancy having occurred in the Representative Assembly by the death of Mr. Marulappa, Landholder, Kallembella, who had been elected by the Sira Rural Constituency, Government are pleased to direct under Rule 3 of the Rules published with Notification No. P. 3867—Legis. 12-23-15, dated 11th January 1924, that there shall be an election of a member to the Representative Assembly from the Sira Rural Constituency to fill up the said vacancy.

2. Under paragraph 1 of Part II-A of the Rules relating to the conduct of elections to the Representative Assembly from the Rural Constituencies published with Notification No. P. 2399—Legis. 12-23-6, dated the 7th November 1923, Government are pleased to direct that the said election shall be held on *Saturday the 15th September 1928*.

3. Under paragraph 2 of Part II-A of the said notification, Government are pleased to direct that persons who are desirous of standing for election shall furnish their names in writing to the Amildar, Sira Taluk, not later than *Tuesday the 14th August 1928*.

4. The attention of the Deputy Commissioner, Tumkur District, is invited to the events specified, and the dates fixed therefor in the annexed calendar relating to the above election and he is requested to take the necessary steps to carry out the programme.

*Calendar for the election of a member to the Representative Assembly
from the Sira Rural Constituency.*

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| 1. Notification by candidates of their intention to stand for election. | 14th August 1928.
(Tuesday). |
| 2. Publication of the names of candidates in the Gazette by the Deputy Commissioner. | 23rd August 1928.
(Thursday). |
| 3. Date of election | 15th September 1928.
(Saturday). |
| 4. Report of the result of election to the Deputy Commissioner and to the Government. | 18th September 1928.
(Tuesday). |

By Order,
N. SEETHARAMAIA,
For Secretary to Government, Law Department.